

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RONALD S. RILEY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-746-KAJ
)	
THE DELAWARE RIVER AND BAY)	Related Case
AUTHORITY, JAMES JOHNSON,)	C.A. No. 05-126-KAJ
Individually, JAMES WALLS, Individually,)	
TRUDY SPENCE-PARKER, Individually,)	
and CONSUELLA PETTY-JUDKINS,)	
Individually.)	
Defendants.)	

MOTION TO DISMISS

Defendants hereby move to dismiss Plaintiff's Complaint pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure. Plaintiff has failed to exhaust his administrative remedies and to file his claims within the applicable statute of limitations. The grounds for Defendants' motion are more fully set forth in their Opening Brief and Appendix filed in support of this motion.

WHEREFORE, Defendants respectfully request that this Court dismiss the Complaint in its entirety and award such other and further relief as this Honorable Court deems appropriate.

Respectfully submitted,
YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ William W. Bowser

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Attorneys for Defendants

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Defendants.)	

CERTIFICATE OF SERVICE

I, William W. Bowser, Esquire, hereby certify that on November 28, 2005, I electronically filed a true and correct copy of the foregoing **Defendants' Motion to Dismiss** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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